



AUG 07 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **KITAMURA, et al.**

#7
8-14-02
CBL/AM

Serial No.: **09/582,094**

Group Art Unit: **2872**

Filed: **June 22, 2000**

Examiner: **NGUYEN, Thong Q.**

FOR: **MICROSCOPE**

RESPONSE TO THE RESTRICTION/ELECTION OF SPECIES REQUIREMENT
DATED JULY 10, 2002

Commissioner for Patents
Washington, D.C. 20231

Date: August 7, 2002

Sir:

This paper is submitted in response to the Official Action dated **July 10, 2002**.

In the Action, restriction is required between Group (I), Claims 1-18 and 20, drawn to a microscope having a thin sheet-like mirror; and Group (II), Claim 19, drawn to a microscope having a charge-coupled mirror; and species (A) or (B).

Applicants hereby provisionally elect the subject matter of Species (B) of Group (I),
covered by Claims 11-18 and 20, for prosecution in this application. This election is made
without traverse, it being understood that the applicants' rights to the filing of a divisional
application directed to the non-elected subject matter under 35 USC 120 and 35 USC 121 are
retained.

In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

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In the event any additional fees are required in connection with this response, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



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WLB/nrp

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